

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503
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| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/736,960 | 12/13/2000 | Peter S. Lu | 20054-000511US |

CONFIRMATION NO. 8243

FORMALITIES LETTER



OC000000005882227

20350
TOWNSEND AND TOWNSEND AND CROW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Date Mailed: 03/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/10/2001 SHINASS1 00000048 201430 09736960

FILED UNDER 37 CFR 1.53(b)

| | |
|-----------|-----------|
| 01 FC:201 | 355.00 CH |
| 02 FC:203 | 153.00 CH |
| 03 FC:202 | 320.00 CH |
| 04 FC:205 | 65.00 CH |

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$473.
 - \$153 for 17 total claims over 20.
 - \$320 for 8 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 893.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

bottom margin of at least 1.0 cm (3/8 inch)

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 62 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(u). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 020054-000511US

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

On May 3, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter S. Lu et al.

Application No.: 09/736,960

Filed: December 13, 2000

For: CLASP-5 TRANSMEMBRANE
PROTEIN

Examiner: Unknown

Art Unit: 1641

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Non-Provisional Application

Dated March 20, 2001, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Request for Corrected Filing Receipt
- 4) Return Receipt Postcard
- 5) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1130 for the following fees:

Peter S. Lu
Jonathan D. Garman
Albert F. Candia III
Jonathan D. Garman
Albert F. Candia III
Application No.: 09/736,960
Page +

PATENT

(b) Excess Claims Fees (§ 1.16(b), (c)):

37 - 20 = 17 x \$9.00 = \$153.00

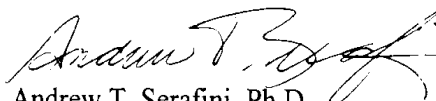
11 - 3 = 8 x \$40.00 = \$320.00

(c) Missing Parts Surcharge \$65.00

TOTAL FEES TO BE CHARGED \$893.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

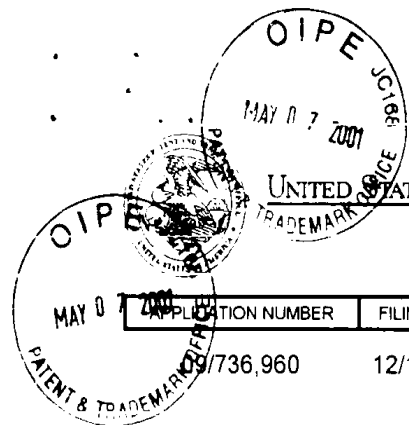
Respectfully submitted,


Andrew T. Serafini, Ph.D.
Reg. No. 41,303

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
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PA 3143476 v1



020054-000511US

ATSerafini

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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO. | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 09/736,960 | 12/13/2000 | 1641 | 0.00 | 20054-000511US | 61 | 37 | 11 |

CONFIRMATION NO. 8243

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FILING RECEIPT



OC000000005882226

Date Mailed: 03/20/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter S. Lu, Mountain View, CA;
Jonathan D. Garman, San Jose, CA;
Albert F. Candia III, Menlo Park, CA;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/240,508 10/13/2000
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000
AND CLAIMS BENEFIT OF 60/240,539 10/13/2000
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000
AND CLAIMS BENEFIT OF 60/196,267 04/11/2000
AND CLAIMS BENEFIT OF 60/196,527 04/11/2000
AND CLAIMS BENEFIT OF 60/196,528 04/11/2000
AND CLAIMS BENEFIT OF 60/196,460 04/11/2000
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999

Foreign Applications

01 MAR 27 AM 8:28
RECEIVED
TOWNSEND AND CREW

If Required, Foreign Filing License Granted 03/16/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

CLASP-5 transmembrane protein

Preliminary Class

424

Data entry by : ASGEDOM, GENET

Team : OIPE

Date: 03/20/2001



LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
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Washington, DC 20231